

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THOMAS LOCKHART,

Plaintiff,

CASE NO. 06-CV-15131

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

WARREN C. EVANS, et al.,

Defendants.

**ORDER: (1) CANCELLING HEARING SCHEDULED FOR JUNE 23, 2008; AND
(2) DENYING PLAINTIFF'S MOTION FOR RELIEF FROM JUDGMENT**

Before the Court is Plaintiff Thomas Lockhart's ("Plaintiff") April 10, 2008 Motion for Relief from Judgment. (Doc. No. 37). On March 12, 2008, the parties entered into a Stipulation for Dismissal of the instant case with prejudice by April 11, 2008. In his motion, Plaintiff contends that the settlement agreement that formed the basis of the dismissal may not be "finalized" by April 11, 2008, thus requiring an extension of time for the Order to entered. Pursuant to the parties' stipulation, the Court has entered the Order of Dismissal, and the instant case has been closed. The Court has neither retained ancillary jurisdiction over the enforcement of the settlement agreement, nor have the terms of the settlement agreement been incorporated into the Order of Dismissal. *See Re/Max Int'l, Inc. v. Realty One, Inc.*, 271 F.3d 633, 641-44 (6th Cir. 2001). Plaintiff's motion is thus inappropriate, and the Court **DENIES** Plaintiff's motion.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: June 10, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on June 10, 2008.

s/Denise Goodine

Case Manager